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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/673,905	10/23/2000	Klaus Gradischnig	SIEM0015U/US	7207

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EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/21/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/673,905

Applicant(s)

GRADISCHNIG, KLAUS

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☒ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Detail Action

1. This Office Action is in response to the Amendment A filed on 01/21/2004. Claims 1-13 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. **Claims 1-2 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

4. Claim 1 recites the limitation "the other signal apparatus" in line 4, page 2 of the Amendment. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 2 recites the limitation "contained in the signalling" in line 15, page 2 of the Amendment. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-3, 5-8 and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferguson (US 5,521,902).**

8. As to claims 1 and 11, Ferguson teaches a signalling apparatus for processing signalling messages, comprising:

links via which the signalling apparatus is connected to other signalling apparatus
(a plurality of link sets 18 interconnecting the Service Switching Points "SSPs" 11, Service Control Point "SCP" 13 and Service Transfer Points "STPs" 14 as in Fig. 1);

at least one signalling system *(signalling point 20 with PC=8)* that sends signalling messages to the other signalling apparatus *(signalling point 20 with PC=9)* or, respectively, receives signalling messages from the other signalling apparatus via said links *(signalling point 20 with PC=8 sends/receives signalling messages to/from signalling point 20 with PC=9 via links 18A, 18B and 18C as in Fig. 2)* (Ferguson, C4: L13-21);

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said signalling system that respectively allocates a signalling network identity to said links (*for example, link 18A is uniquely identified or allocated by the triplet "8,9,1", link 18B as "9,8,2", etc.*) (Ferguson, Fig. 2 and C4: L22-38);

at least one of said links that is returned in a loop from a signalling point to the signalling point as a loop link (*from signalling point 20 with PC=8 to signalling point 20 with PC=9 and back to signalling point 20 with PC=8 via link 18A, 18B or 18C as in Fig. 2*), different signalling network identities being allocated to the loop link at an output and input side (*any individual link can be uniquely identified by the triplet composed of the point code of the signalling point at one end of the link, the point code of the signalling point at the other end of the link and the link number within the link set joining the signalling points, for example, link 18A can be identified by the triplet "8,9,1" or "9,8,1"*) by the signalling system (Ferguson, C4: L13-38).

9. As to claim 2, Ferguson teaches the signalling apparatus of claim 1, wherein said signalling system, with assistance of said loop link communicates signalling messages between two other signalling systems contained in the signalling to which is respectively provided an interface (Ferguson, C2: L44-45).

10. As to claim 3, Ferguson teaches the signalling apparatus of claim 1, wherein said signalling system generates internal load for test purposes (*i.e., signalling link test messages are generated for test purposes*) with assistance of said loop link (Ferguson, C5: L4-15).

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11. As to claim 5, Ferguson teaches the signalling apparatus of claim 1, wherein said signalling system is a signalling system according to No. 7 (*i.e.*, SS7 network 10 of Fig. 1) and allocates a same network identifier to said loop link (*link 18A of Fig. 2 is uniquely identified by the triplet "8,9,1"*) at the output and input side (Ferguson, Figs. 1-2).

12. Claims 6-8 and 10 are corresponding method claims of apparatus claims 1-3 and 5; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson (US 5,521,902).

15. As to claim 4, Ferguson teaches the signalling apparatus of claim 1, but does not explicitly teach said signalling system realizes an interworking communication with other networks with assistance of a said loop link.

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However, as well known in the art that in SS7 networks, Service Switching Points "SSPs" 11 and Service Transfer Parts "STPs" 14 were conventionally employed and allocated in different networks.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine and modify the teaching of Ferguson to utilize the assistance of a loop link at the SSPs and STPs in different networks to achieve an interworking communication with other networks because such Signal Transfer Points "STPs" (which are multi-port, high-speed packet switches that are programmed to respond to the routing information and route a packet to its destination) were conventionally employed in the art to interconnect between networks via a SS7 data link.

16. Claim 9 is a corresponding method claim of apparatus claim 4; therefore, it is rejected under the same rationale.

Claim Rejections - 35 USC § 102

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

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by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

18. Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Bressler (US 6,584,190).

19. As to claim 13, Bressler teaches a telephony communications system comprising:

allocating unique point codes to each of a plurality of signalling networks interconnecting a plurality of signalling points (*each network node or signalling point, SSP 20, STP 22 or STP 24 of Fig. 2 is assigned a unique point code*); and

routing a signal from a first network of said plurality of signalling networks to a second network of said plurality of signalling networks using said unique point codes (*numeric point codes are carried in control signalling messages exchanged between network nodes to identify the source and destination of each message and based on the point codes, an STP 22 accesses a routing table to select the appropriate signalling path for routing each message*) (Bressler, C5: L45-62).

Allowable Subject Matter

20. Claim 12 is allowed.

21. Applicant's arguments as well as request for reconsideration filed on 01/21/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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23. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER